

## **REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

### **I. STATUS OF THE CLAIMS AND FORMAL MATTERS**

Claims 22-42 are pending in this application. Previous claims 1-21 are hereby canceled without prejudice or disclaimer of subject matter. New claims 22 and 33 are independent. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

### **II. REJECTIONS**

Previous claims 1-5, 7, 9-10, 12-17 and 19-20 were rejected under 35 U.S.C. §102(e) as allegedly anticipated by U.S. Patent No. 6,597,682 to Kari. Previous claims 11 and 21 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,597,682 to Kari in view of U.S. Patent No. 6,259,686 to Blanc et al.

New independent claim 22 recites, *inter alia*:

“...each access resource group corresponding to a different access service class with a respective access probability, whereby said access resources of said random access channel are defined by time slots and signature codes...” (emphasis added)

It is respectfully submitted that the cited portions of U.S. Patent No. 6,597,682 to Kari (hereinafter, merely “Kari”) and the cited portions of U.S. Patent No. 6,259,686 to Blanc et

al. (hereinafter, merely “Blanc”), as applied by the Examiner, do not teach or suggest the above-identified features of claim 22. Specifically, Kari and Blanc, taken alone or in combination, fail to teach or suggest that access resources of said random access channel are defined by time slots and signature codes, as recited in new independent claim 22.

Claim 33 is similar in scope and believed patentable for similar reasons.

Additionally, as understood by Applicants, Kari, e.g. between column 3, line 53 and column 4, line 6, discloses the division of a random access channel into groups having different access priorities. The random access channel consists of a number of successive time slots as is e.g. shown in Fig. 2A. A first group of time slots has a highest priority level P4. Another group of time slots has a second highest priority P3 and so forth. Further, Kari discloses that the priority allocation can be negotiated on the basis of the quality of service in the connection either at the beginning or during a connection. However, Kari only relates to mobile communication systems in which the random access channel consists only of time slots.

In contrary hereto, the present invention as defined in the new independent claims 22 and 33 is directed to random access resources being defined by time slots and signature codes. The use of such a kind of random access resource is neither disclosed nor rendered obvious by Kari. Specifically, the one embodiment described by Kari between column 3, line 53 and column 4, line 6 is restricted to random access resources being defined by time slots only. In the other embodiment shown in Fig. 2B of Kari, there is no indication about the specific features of the random access resources, but only the possibility of using proportions of the control sub-channels being allocated to different priority classes.

As understood by Applicants, Blanc generally discloses the allocation of priorities to random access resources in TDMA systems (cf. column 1, lines 13 to 28 and lines 52 to 59).

Although TDMA systems and the UMTS system are mentioned in the introduction of the description, there is no specific disclosure about the structure and the use of the random access resources in such systems. In the detailed description, column 5, lines 34 to 45 of Blanc only disclose that a physical channel can be defined by a time slot, a carrier and a block, and that a priority can be assigned to each physical channel. However, Blanc does not disclose random access resources being defined by time slots and signature codes and the division of so defined random access resources into groups corresponding to different access service classes.

Thus, a combination of Kari with Blanc would therefore not lead a person skilled in the art to the subject-matter of the present invention as defined in independent claims 22 and 33.

The other claims in this application are each dependent from one of the independent claims discussed above and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

### **CONCLUSION**

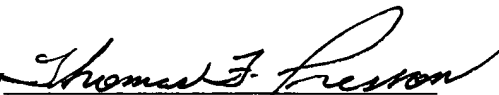
In the event the Examiner disagrees with any of statements appearing above with respect to the disclosures in the cited references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,

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